

OCTOBER 26, 2010

The Honorable Ivory L. Young, Jr., Chair
The Honorable H. Lamar Willis, Vice-Chair
The Honorable Yolanda Adrean
The Honorable Natalyn M. Archibong
The Honorable Joyce Sheperd

The Honorable Keisha Lance Bottoms
The Honorable C. T. Martin

A. ADOPTION OF AGENDA - ADOPTED AS AMENDED TO ADD TWO RESOLUTIONS

B. APPROVAL OF MINUTES - APPROVED

C. RESOLUTIONS

CONSENT

10-R-1837 (1) Claim of **Atlanta Gas Light Company**, for damages alleged to have been sustained to its gas main during the repair of a water main on July14, 2010 at 3206 Arden Road, NW.
\$3,204.06

Public Safety and Legal Administration Committee Minutes
October 26, 2010
Page Two

RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 10-R-1838 (2) Claim of **Wendell Monroe**, for vehicular damages alleged to have been sustained after driving over a metal plate that was improperly secured to the roadway on June 17, 2010. **\$1,936.04**
- 10-R-1839 (3) Claim of **Ajani Nugent**, for personal injuries alleged to have been sustained as a result of striking metal plates on August 6, 2010 at 368 Edgewood Avenue, NE. **\$1,599.17**
- 10-R-1840 (4) Claim of **Leonard J. Rubin**, for vehicular damages alleged to have been sustained from driving over a pothole in the roadway on February 4, 2010 at 1250 W. Conway Drive, NW and Mt. Paran Road, NW. **\$1,415.04**
- 10-R-1841 (5) Claim of **Barbara and Thomas N. Southwell**, for personal injuries alleged to have been sustained as result of striking a failed construction cut on February 4, 2010 at 1589 Peachtree Street, NE. **\$886.98**
- 10-R-1842 (6) Claim of **Yvonne R. Scurlock**, for vehicular damages alleged to have been sustained from an automobile accident on August 24, 2010 at 150 Garnett Street, SW. **\$803.80**
- 10-R-1843 (7) Claim of **Earnestine and Bobby C. Martin**, for damages alleged to have been sustained as a result of sewer backup on June 30, 2010 at 1279 Avonwood Circle, SW. **\$750.00**

Claims with unfavorable recommendations:

- 10-R-1844 (8) Claim of **Crystal Greene**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on December 24, 2009 at 3315 Peachtree Road.
- 10-R-1845 (9) Claim of **Freddy Simon**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on December 24, 2009 at 3315 Peachtree Road.

Public Safety and Legal Administration Committee Minutes
October 26, 2010
Page Three

RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 10-R-1846 (10) Claim of **Presley Daniel Yates, III**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on December 24, 2009 at 3315 Peachtree Road.
- 10-R-1847 (11) Claim of **Jeffrey Moton**, for damages alleged to have been sustained as a result of driving over a pothole on April 27, 2010 at 102 Moreland Avenue.
- 10-R-1848 (12) Claim of **Bryan Edwards**, for damages alleged to have been sustained as a result of a rake falling onto his vehicle on December 10, 2009 at Rumson Road and Pinetree Road.
- 10-R-1849 (13) Claim of **Alex Jenkins, through his attorney, Sarah L. Addle, Esq., Gray King Chamberlin & Martineau, LLC**, for bodily injuries alleged to have been sustained due to a fall on a broken sidewalk on October 10, 2008 at 81 2nd Avenue, NE.
- 10-R-1850 (14) Claim of **Laura Berman**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on October 14, 2009 at 3630 Peachtree Road.
- 10-R-1851 (15) Claim of **Michael Hinton**, for damages alleged to have been sustained to water service connection at 1235 Plaza Avenue from January 8 -10, 2010.
- 10-R-1852 (16) Claim of **Marcus Eugene Davis**, for damages alleged to have been sustained as a result of an arrest on July 22, 2010 at 150 Garnett Street, Municipal Court of Atlanta.
- 10-R-1853 (17) Claim of **Kizzi Laster, through her attorney, Xavier C. Dicks**, for damages alleged to have been sustained as a result of an arrest on December 4, 2008 at 2841 Greenbriar Parkway, SW, Greenbrier Mall.
- 10-R-1854 (18) Claim of **Comcast c/o Phoenix Loss Control**, for damages alleged to have been sustained as a result of a severed cable on March 19, 2010 at 16 Habersham Park.

Public Safety and Legal Administration Committee Minutes
October 26, 2010
Page Four

RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 10-R-1855 (19) Claim of **Cedric Jackson, through his attorney, Angie M. Walton**, for damages alleged to have been sustained as a result of an injury during physical education class on May 7, 2010 at 1925 Niskey Lake Road – Ralph Bunch Middle School.
- 10-R-1856 (20) Claim of **Gerald Boveland**, for damages alleged to have been sustained as a result of an automobile accident on June 11, 2009 at 3201 Martin Luther King, Jr. Drive.
- 10-R-1857 (21) Claim of **David Bernard**, for damages alleged to have been sustained as a result of driving over a pothole on March 6, 2010 at 3390 Peachtree Road.
(Councilmember Adrean made a motion to approve Items C1-C21)

FAVORABLE

D. ORDINANCES FOR FIRST READING

- 10-O-1831 (1) An Ordinance by Public Safety and Legal Administration Committee amending the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$172,400.00 on behalf of the Atlanta Fire Rescue Department for the purpose of funding the Car Seat Fitting Station Program developed by the Atlanta Fire Rescue Department; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

- 10-O-1832 (2) An Ordinance by Public Safety and Legal Administration Committee amending the 2011 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations in the amount of \$94,600.00, for a grant award from the Governor's Office of Highway Safety and matching funds in the amount of \$142,000.00 from the (General Fund) Budget, to fund the Highway Enforcement of Aggressive Traffic; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

Public Safety and Legal Administration Committee Minutes
October 26, 2010
Page Five

ORDINANCES FOR FIRST READING (CONT'D)

- 10-O-1833 (3) An Ordinance by Public Safety and Legal Administration Committee amending the 2011 (Intergovernmental Grant Fund) Budget, Department of Police ("Department"), by adding to anticipations and appropriations in the amount of \$1,098,159.00 for the FY 2010 Edward Byrne Memorial Justice Assistance Grant ("JAG") Award from the United States Department of Justice; and for other purposes.

**TO BE REFERRED TO PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE**

REGULAR

E. ORDINANCE FOR SECOND READING

- 10-O-1880 (1) An Ordinance by Councilmembers Kwanza Hall, Aaron Watson, H. Lamar Willis, Michael J. Bond, Natalyn Archibong, Keisha Lance Bottoms, Alex Wan and Carla Smith authorizing the operation of Human-Drawn Vehicles (Pedicabs) within the City of Atlanta; to establish requirements and regulations for such program; and for other purposes.

(Councilmember Young made a motion to hold for further review at the request of the author.)

HELD

F. RESOLUTION

- 10-R-1836 (1) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into a Maintenance Agreement with Oracle America, Inc., pursuant to the State of Georgia Contract GS-35F-0009T, for Database and Maintenance Support, on behalf of the Municipal Court of Atlanta for a period of one (1) year in FY11, in an amount not to exceed \$43,102.00; all costs to be charged to the Fund, Department Account and Function Activity listed; and for other purposes.

(Councilmember Adrean made a motion to approve.)

FAVORABLE

Public Safety and Legal Administration Committee Minutes
October 26, 2010
Page Six

G. PAPERS HELD IN COMMITTEE

- 10-R-0132 (1) A Resolution by Councilmember Michael J. Bond directing the City of Atlanta to apologize to the patrons and employees of the Atlanta Eagle for the alleged violations of Human and Civil Rights suffered as a result of a police raid carried out on September 10, 2009; and for other purposes. **(Held 1/12/10 for further discussion.)**
- 10-R-0137 (2) A Resolution by Councilmembers Natalyn M. Archibong and C. T. Martin requesting that City Council authorize a Forensic Audit should be conducted as a result of the findings and recommendations from the Audit Report of the Public Safety Facilities Construction and the Sale of City Hall East; and for other purposes. **(Held 1/12/10 for a Joint Work Session with Finance/Executive Committee and Committee on Council) (Work Session held 2/3/10)**
- 10-O-0397 (3) An Ordinance by Councilmember H. Lamar Willis **as substituted by Public Safety and Legal Administration Committee** amending Section 162-227 and Section 162-232 of the City of Atlanta Code of Ordinances so as to establish fees for the administrative costs associated with nonconsensual motor vehicle towing; and for other purposes. (Public Hearing held 4/27/10) **(Held 4/27/10 for further evaluation and review.)**
- 10-O-0399 (4) An Ordinance by Councilmember Ivory L. Young, Jr. to amend Article XXIII, ("Vending on Public Property") of Chapter 30, ("Businesses"), Section 30-1436 ("Disabled Veterans"), of the Code of Ordinances of the City of Atlanta, Georgia, so as to expressly exempt Disabled Veterans from participation in the Public Vending Management Program; and for other purposes. **(Held 2/23/10 for further review.)**
- 10-O-0728 (5) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 30, Article VIII, of the City of Atlanta Code of Ordinances to clearly distinguish between legitimate Escorts Holding Permits issued by the City of Atlanta under its police powers, and persons who perform Criminal Acts as determined by State Law; and for other purposes. **(Held 5/11/10 for further review.)**

Public Safety and Legal Administration Committee Minutes
October 26, 2010
Page Seven

PAPERS HELD IN COMMITTEE (CONT'D)

- 10-R-0855 (6) Claim of **Ron Tusso**, for damages alleged to have been sustained as a result of a sewer backup on November 10, 2009 at 1850 Memorial Drive. **(Held 5/11/10 for further review by the Law Department)**
- 10-O-1173 (7) An Ordinance by Councilmembers Ivory L. Young, Jr. and C. T. Martin imposing a Ninety (90) Day Moratorium on the City's Public Property Vending Program; to create a subcommittee to study and review the operation of the Public Property Vending Program; to waive conflicting ordinances; and for other purposes. **(Referred back from Council 7/19/10) (Held 7/27/10 for further review.)**
- 10-O-1342 (8) An Ordinance by Councilmembers Kwanza Hall, Michael J. Bond, Aaron Watson, Alex Wan, C. T. Martin, Felicia A. Moore and Ivory L. Young, Jr. to amend Chapter 10, Article II, Division 3 of the Code of Ordinances of the City of Atlanta, Georgia by creating a new Section 10-130 to be entitled "Extended Hours Permit Pilot Program"; to temporarily waive the provisions of chapter 10, Article II, Section 10-209 (c) and (d) of the Code of Ordinances in the Edgewood Avenue/Auburn Avenue District of the City so as to allow for a Pilot Program to examine the impact of extending the permissible hours for establishments authorized to sell alcoholic beverages for on-premises consumption; to define the boundaries of the Edgewood Avenue/Auburn Avenue District; to waive conflicting ordinances for this instance only; and for other purposes. **(Held 7/13/10 for further discussion)**
- 10-R-1343 (9) A Resolution by Councilmembers Kwanza Hall, Michael J. Bond, Aaron Watson, Alex Wan, Felicia A. Moore, Joyce Sheperd, Ivory L. Young, Jr., Natalyn M. Archibong and Carla Smith **as amended by Public Safety and Legal Administration Committee** to establish a Task Force to review the Alcoholic Beverage Licensing Process generally, from application to License Review Board consideration and to the enforcement of Alcoholic Beverage Laws, Ordinances and Regulations; to authorize the Public Safety and Legal Administration Committee to determine the membership structure of the Task Force; and for other purposes. **(Amended and held 7/13/10 for further discussion)**

PAPERS HELD IN COMMITTEE (CONT'D)

- 10-O-1809 (10) An Ordinance by Councilmembers Kwanza Hall and Natalyn Archibong to create a new Division 3 (To be entitled "Street Food Vending Program") of Article XXIII ("Vending on Public Property") of the Code of Ordinances of the City of Atlanta, Georgia which Division shall provide the regulatory framework by which street food vending in the City of Atlanta shall be governed, including but not limited to, the creation of street food vending sites, rules and regulations, and the criteria for the issuance of permits and the cost thereof; to waive conflicting ordinances; and for other purposes. **(Held 10/12/10, for further review.)**
- 10-R-1813 (11) A Resolution by Councilmember Michael J. Bond requesting the Atlanta Police Department (APD) to study the feasibility of increasing the collaboration with the Atlanta Public Schools (APS) Security Operations; and for other purposes. **(Held 10/12/10, at the request of the author.)**

I. ITEMS NOT ON THE AGENDA

RESOLUTIONS

- 10-R-1897 (1) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or his designee to enter into a Memorandum of Understanding with the State of Georgia to permit the Georgia Emergency Management Agency to expend Homeland Security Grant Program funding on behalf of the Police Department of Atlanta, Georgia for CBRN equipment pursuant to the Urban Areas Security Initiative; and for other purposes.
(Councilmember Sheperd made a motion to approve.)

FAVORABLE

Public Safety and Legal Administration Committee Minutes
October 26, 2010
Page Nine

ITEMS NOT ON THE AGENDA (CONT'D)

RESOLUTIONS

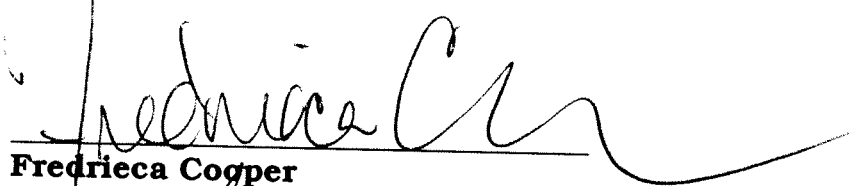
- 10-R-1898 (2) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or his designee to enter into a Maintenance Agreement with Police Central, Inc. (PCI), pursuant to FC-4782, Jail Management Systems, on behalf of the Atlanta Department of Corrections (ACDC) for a period of the one (1) year in FY11, in an amount not to exceed \$200,177.00 to be paid in four (4) quarterly increments of \$55,044.25; all costs to be charged to the Fund, Department, Account and Function Activity listed; and for other purposes.
(Councilmember Sheperd made a motion to approve.)


FAVORABLE

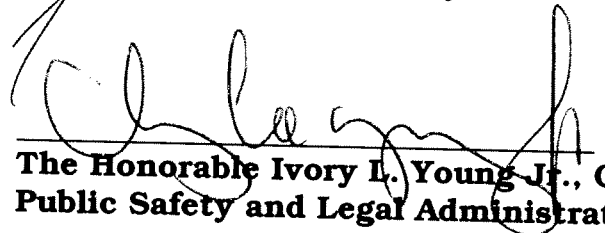
Public Safety and Legal Administration Committee Minutes
October 26, 2010
Page Ten

There being no further business to come before the Committee, the meeting was adjourned at 4:43 p.m.

Respectfully Submitted:



Fredrica Cooper
Legislative Assistant

Bernard Thomas
Research and Policy Analyst

The Honorable Ivory L. Young Jr., Chair
Public Safety and Legal Administration Committee